



State of Ohio Environmental Protection Agency

Southwest District Office

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Dayton, Ohio 45402

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

June 17, 2009

Certified Mail

Joe LaMantia
Vice President
Multi-Service
1962 Radio Road
Dayton, Ohio 45431

RE: Compliance Evaluation Inspection - OHR000014605

Dear Mr. LaMantia:

On June 4, 2009, and June 15, 2009, Ohio EPA conducted compliance evaluation inspections of Multi-Service's Dayton, Ohio facility. The purpose of the inspections was to determine Multi-Service's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). Mel Tatman and Robert Jones represented Multi-Service on June 4, 2009. You represented Multi-Service on June 15, 2009. Jeff Smith and I represented Ohio EPA during the June 4, 2009, inspection. Jeff Stark and I represented Ohio EPA during the June 15, 2009, inspection. Based on the inspections, Ohio EPA has determined that Multi-Service has violated the following hazardous waste regulation:

1. **Treatment, storage, and disposal facility, ORC 3734.02 (E)(2) and (F) state in part:**
 - (E)(2) No person shall establish or operate a hazardous waste facility for the storage, treatment, or disposal of any hazardous waste, without a hazardous waste facility installation and operation permit issued in accordance with section 3734.05 of the Revised Code.
 - (F) No person shall store, treat, or dispose of hazardous waste identified or listed under this chapter and rules adopted under it, regardless of whether generated on or off the premises where the waste is stored, treated, or disposed of. . .except at or to any permitted hazardous waste facility.

According to OAC 3745-52-34(B) a generator who, for more than ninety days, accumulates and/or conducts treatment of hazardous waste that is generated on-site is an operator of a storage and/or treatment facility. Multi-Service stored six

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hazardous waste totes for more than ninety days. One hazardous waste tote was dated February 27, 2009, three were dated March 9, 2009, and two were dated March 13, 2009. Multi-Service did not have a hazardous waste pick up until June 12, 2009. **Therefore, Multi-Service is in violation of ORC 3734.02(E)(2) and (F).**

Since Multi-Service violated ORC 3734.02(E) and (F), Multi-Service is subject to all applicable general facility standards found in OAC Chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have Multi-Service begin facility-wide cleanup pursuant to the Corrective Actions process under Ohio law.

During the June 15, 2009, inspection I requested copies of the following information:

1. Contingency plan;
2. Hazardous waste manifests for 2008 and 2009;
3. Personnel training records for Robert Jones;
4. Emergency equipment inspection records;
5. Hazardous waste tank inspection records for October and November 2008; and
6. Hazardous waste storage tank information.

I will address the required tank information (#6) in a separate letter. The other information should be submitted to this office within 7 days of receipt of this letter. Additional violations may be cited based on a review of the requested information. Should you have any questions, please call me at (937) 285-6093.

Sincerely,



Cathy L. Altman
Division of Hazardous Waste Management

cc: Dinah Crawford, DHWM-SWDO/SWDO File

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.